

Smog Changes

Introduction

Legislation effect January 1, 2005, changes the smog program as follows:

- Exempts vehicles six or less model-years old in a biennial area from smog certification. An annual \$12 smog abatement fee will be collected.
- Eliminates smog certification for transfers of vehicles four or less model-years old. An \$8 transfer smog fee will be collected from the new owner.

Effective April 1, 2005, all 1975 and older vehicles, including vehicles previously registered in another state, are exempt from smog certification requirements. The “rolling smog” program is eliminated.

Background

Currently, vehicles with expiration dates prior to January 1, 2005, that are four or less model-years old in a biennial smog check area are exempt from biennial smog certification and a \$6 annual smog abatement fee is due. Legislation effective January 1, 2005, changes these requirements.

The rolling smog program that allows California registered vehicles 30 or more years old exemption from smog certification ends March 31, 2005. Effective April 1, 2005, the exemption will be for vehicles 1975 and older.

Information

Registration Renewals

The smog exemption and required smog abatement fees are based on the vehicle’s registration expiration date. These changes only apply to vehicle renewals in areas where biennial smog certifications are required. Listed below are some examples of fees that are due based on the vehicle registration expiration date.

1. **Q—Renewal fees for a vehicle six model-years old or less with an expiration date in 2005 are paid in 2004. Is the \$6 or \$12 annual smog abatement fee due?**

A—The \$12 annual smog abatement fee is due because the expiration date is in 2005.

2. **Q— A biennial renewal is due in 2004 for a vehicle five or six model-years old, but the renewal fees are paid in 2005. Is smog certification required? What smog abatement fees are due?**

A— A smog certification is required. In 2004, only vehicles **four or less** model-years old are exempt from smog and pay the \$6 annual smog abatement fee.

Information

Transfers

Smog certification and required fees will be based on the **transfer date**. The \$8 transfer smog fee is a statewide fee and is **not** limited to biennial areas. Both the \$8 transfer smog fee and the \$12 smog abatement fee can be due on the same transaction. Listed below are some examples of fees that are due on transfers.

1. **Q—If a vehicle four model-years old or less is transferred in 2004, but the application for transfer is submitted in 2005, is a smog certification required?**

A—Yes, the smog certification for transfer is required (instead of the \$8 transfer smog fee) because the transfer was in 2004.

2. **Q—A vehicle five model-years old in 2004 requires a biennial smog certification for renewal in 2005. Before renewal, the vehicle is transferred in 2004, and the application for transfer and renewal is submitted in 2005. What smog fees are due? Is a smog certification still required?**

A—A \$12 smog abatement fee is due for the renewal in 2005, and a smog certification is required for the 2004 transfer.

3. **Q—If in 2005 a biennial renewal is due for a vehicle four model-years old, and the vehicle is also transferred, what smog fees are due? Is a smog certification required?**

A—The \$12 annual smog abatement fee is due and the \$8 transfer smog fee is due. A smog certification is not required for vehicles four or less model-years old.

Nonresident and Original Transactions

Effective April 1, 2005, a smog certification is **not** required for any 1975 and older vehicle and the “rolling smog” will be eliminated. However, between January 1, 2005, and April 1, 2005, 1976 model-year vehicles in biennial smog areas become part of the 30-year “rolling smog” and are exempt from a smog certification. The 1976 model-year motor vehicles with registration expiration dates of April 1, 2005, and later must obtain smog certifications. Listed below are some examples of fees that are due on nonresident and original transactions.

1. **Q—Is a smog certification required for a nonresident 1976 model-year vehicle brought into California April 14, 2005, and registered on May 3, 2005?**

A—Yes, the 30 year “rolling smog” exemption is no longer in effect on April 1, 2005.

2. **Q—Is a smog certification required for a nonresident 1976 model-year vehicle brought into California January 1, 2005, and registered January 15, 2005?**

A—No, the vehicle is 30 years old and the “rolling smog” exemption is not removed until April 1, 2005. The vehicle will require a biennial smog certification upon the next renewal.

Nonresident and Original Transfers, continued

3. **Q—Is a smog certification required for a nonresident 1976 model-year vehicle with registration fees due on January 1, 2005, and fees deposited on May 1, 2005?**

A—No, a smog certification is not required. The 1976 model-year vehicle is exempt from obtaining a smog certification from January 1, 2005, through March 31, 2005. The fees became due before the exemption period ended.

4. **Q—Is a smog certification required for a nonresident 2004 model-year vehicle being registered in California for the first time on April 1, 2005**

A—Yes, initial registration of a nonresident vehicle requires a smog certification for 1976 and newer model-year vehicles.

Reference

Health and Safety Code §§44060,44091,44091.1, and 44011. Vehicle Code §§259, 4000.1, and 4000.2

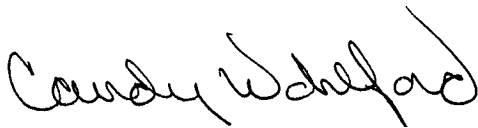
Distribution

This memo was distributed in November 2004 to the following:

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Contact

Call the DMV Customer Communications Section at (916) 657-6560 for further clarification of this memo. Upon request, this document can be produced in Braille or large print.



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